

# Transitioning to District Elections to Comply with the California Voting Rights Act



# Agenda

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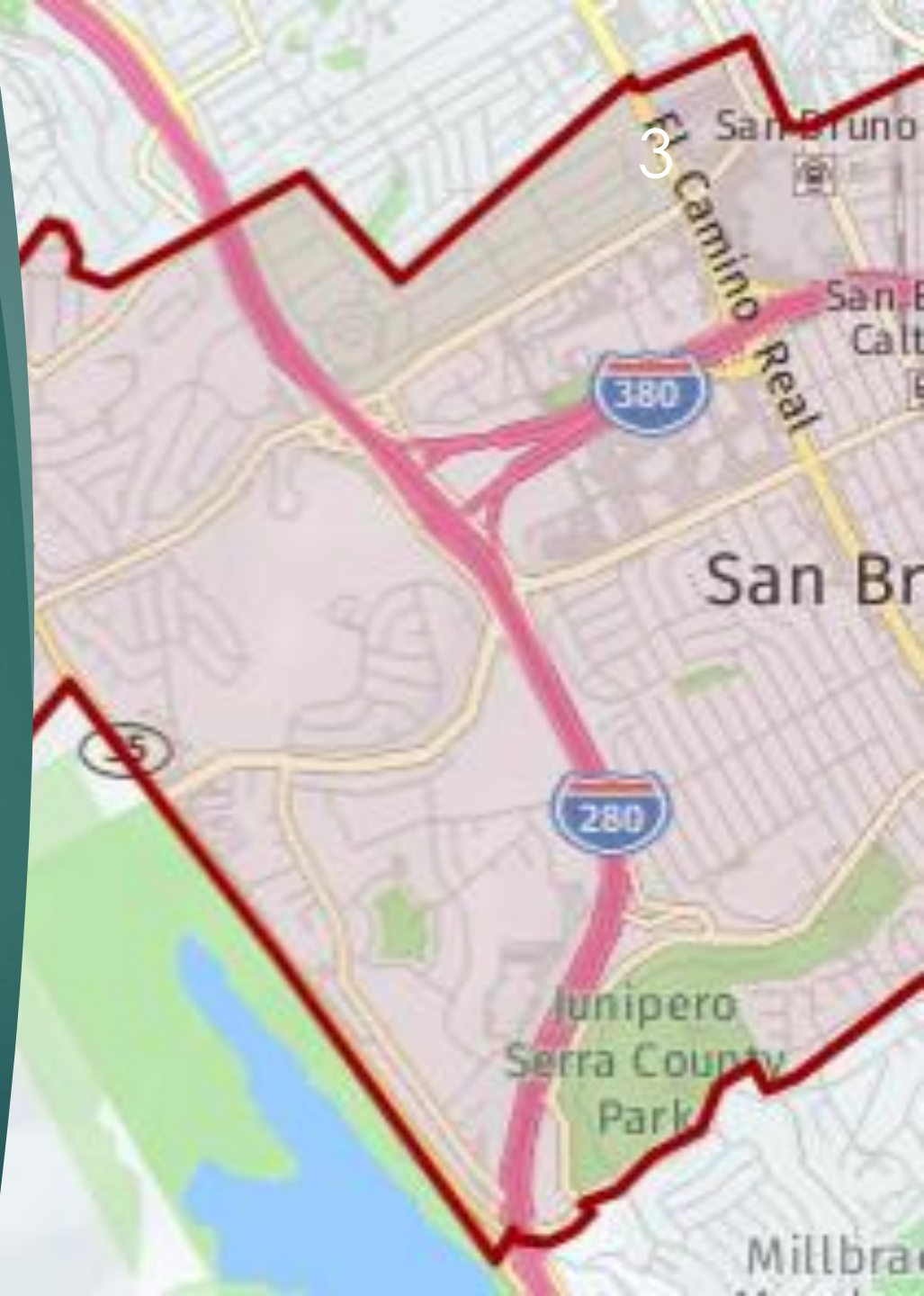
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- ▶ Review background from March 10, 2020 City Council meeting
- ▶ Evaluate pros and cons of transition in 2020 vs. 2022
- ▶ Address questions raised
- ▶ Next steps
  - Determine date for transition to district elections
  - Decide whether to retain NDC at this time

# Background

## ► March 10, 2020 City Council Meeting

- Received staff report regarding options to mitigate City exposure to potential CVRA claim and attorney's fees
- CVRA requires public agencies to transition from at large to district elections
- Receiving letter could trigger payment of \$32K in attorney's fees
  - Litigation fees and court settlements range from six to seven figures
- City Council received detailed presentation from demographer
- City Council discussed mitigating risk and adopted Resolution of Intention to transition in either 2020 or 2022, thus obtaining safe harbor
  - Item continued for two weeks to confirm date



# Discussion: 2020 vs. 2022?

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## ► Policy-Based Pros and Cons of 2020 vs. 2022

- Consultant: possible to complete all required steps per state law for 2020 transition
  - But additional expense to notify public about remote participation in public hearings and drawing maps
- Risk of fees/litigation for waiting until 2022 now reduced
  - Governor's Executive Order N-34-20 extends all timeframes for required public hearings until after emergency
- Waiting until 2022 would allow thorough discussion of possible change to charter city and also alternative voting mechanisms in conjunction with district elections



# Address Questions Raised

- ▶ Consideration of alternative voting mechanisms?
  - Must be done in conjunction with district elections to obtain safe harbor
  - Must change to charter city to implement
- ▶ Coordinate consultant work for City with school district?
  - District boundaries different: district includes area outside of City; excludes area inside City
  - State mapping rules/criteria different for cities and school districts



# Next Steps

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- ▶ Determine date for transition to district elections: 2020 or 2022?
- ▶ Decide whether to retain NDC at this time
  - ▶ If 2020 election, NDC must start work immediately
  - ▶ If 2022 election, NDC can assist in planning and evaluating alternatives



# Questions

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